IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIFTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE SRI JUSTICE N.V. RAMANA**

**WRIT PETITION NO.23014 of 2004**

Between:

Mohd. Asif S/o.Mohd.Yousuf
D.No.22-2-840, Noor Khan Bazar,
SAIFA,Chadarghat, Hyderabad.

**..... PETITIONER**

AND

The Passport Officer, Hyderabad
Office at Secunderabad.

**.....RESPONDENT**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ, order or direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the respondent in not making the correction of the petitioner's Date of Birth as 6-3-1979 instead of 15.07.1974 in the Passport No.A-3956909, dated 10.10.1997, as illegal, improper, unjust and contrary to law and consequently direct the respondent herein to issue passport to the petitioner by making the correction.

**Counsel for the Petitioner: MR.B.THIMOTHI**

**Counsel for the Respondent: MR.B.KAMALAKARA RAO (Addl. SC for CG)**

**The Court at the stage of admission made the following:**

**ORDER:**

The petitioner, in effect, seeks a direction to the respondent to receive his application and consider it for issuing fresh passport with his correct date of birth as 06.03.1979 as per his school certificate.

The grievance of the petitioner is that in the passport obtained by him on 10.10.1997 his date of birth was wrongly recorded as 15.07.1974 instead of 06.03.1979 and when he filed an application before the respondent for correction of his date of birth in the passport, the respondent refused to entertain the application. Hence, the writ petition.

Heard learned counsel for the petitioner and learned Standing Counsel for respondent.

The petitioner has not filed any material before this Court to show that he has filed an application before the respondent for correction of his date of birth in the passport issued to him on 10.10.1997 and the respondent refused to receive the same. Therefore, I am of the view that this writ petition is premature one.

In view of the same, the writ petition is dismissed. No order as to costs.

However, the petitioner is at liberty to file an application along with relevant material before the respondent for correction of his date of birth in the passport issued to him on 10.10.1997 and on filing such an application, the respondent is at

liberty to consider the same and pass appropriate orders thereon in accordance with law.

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**(N.V. RAMANA, J)**

Date: 15.12.2004

Nsr/Bsc

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ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Passport Officer, Hyderabad
   Office at Secunderabad.

2. Two CD copies.